

FINANCE COMMITTEE

Minutes

March 28, 2013

Regular meeting of the Finance Committee was held on Thursday, March 28, 2013 at 7:30 p.m. in the Finance Committee Room, #112, Town Hall with the following members present: L. Pitman, J. Denneen, J. Burke, D. DiCenso, D. Crowley, M. Kent, J. McDermott, S. Lawson, D Bruce, and T. Williams. Absent: S. Ahmed, P. Hinton, C. Lane, M. Iwanowicz and J. Lowre. Also in attendance was Town Administrator M. Boynton, Fire Chief T. Bailey and Town Accountant J. Cuneo.

7:30 p.m. – Quorum being present, the meeting was called to order by the Chairman L. Pitman.

May 6, 2013 Spring Annual Town Meeting

Article 34 - Liquor License Increase in Package Store Licenses

Town Administrator spoke to the history on this article. Board of Selectmen had received a citizen's petition to request an additional beer and wine package store license to be put on the Town Meeting Warrant. Town is presently up to quota on issuing package store licenses. Once a community is up to quota on liquor establishments, it requires a vote of Town Meeting, then has to be approved by the Legislature. Selectmen discussed this petition and voted to include a request for two additional All Alcoholic Common Victuallers License to aid in economic development. They did not feel it would be prudent for two separate articles to go before the Legislature, it would be best to do it in one article. Takes approximately one year to go through the Legislature.

Selectmen M. Berry spoke to Selectmen including the two additional All Alcoholic Common Victualler's Licenses as an ongoing effort to enhance economic development. They are proposing that one of the licenses be for Route 1, East Walpole and one to be used in any area of Town. They feel that the Town should be pro-active in having licenses available for restaurants. It would be an overall benefit for economic development. Package stores are different than restaurant licenses. Selectmen want to focus on restaurant licenses. Request for the additional package store license would have to go before Town Meeting regardless of the Selectmen's request to include the All Alcoholic Licenses due to a private petition. Board feels it is the right thing to do to combine both requests in one article. Board of Selectmen will be discussing this further at their April 2, 2013 meeting; they could have a different position than FinCom.

Attorney J. Brady, retained by S. Goller, President of Walpole Wine & Spirits. Nine out of ten of the package store license holders in the Town were present. He spoke to the quota on liquor licenses is based on a Town's census and is set by the State. He spoke

this being a very bad precedent, if this request for an additional package store license goes forward. Package store license holders are not opposed to the request for additional All Alcoholic CV Licenses. He suggested the Committee take No Action on the package store license request. All of the present package store licenses were purchased from an existing package store. Doesn't feel it is equitable for this request, person should do what everyone else has done and purchase one if it is available. He spoke to if the Town issues this license, additional requests would be coming in for the grocery stores. This location at 196 Washington Street previously had a license at one time. He requested that the Committee vote No Action on this article and spoke to, if the FinCom approves the article, there will be a substitute motion presented at Town Meeting on behalf of the package store license holders.

J. Abarbanel, Sam's Package Store, spoke to the liquor licenses laws are changing. Single person or corporation can now increase the amount of package store licenses held. Previously, a corporation could only hold three, this will be increased shortly to five and eventually nine. Any additional licenses would hurt everyone's business. Package store license holders have made a substantial investment in their businesses and there is only so much money to be spent.

Committee spoke to possibly splitting the vote on this article, package store vs the restaurant license and voting No Action on package store. Some members uncomfortable with splitting the article, and questioned if there would be any legal ramifications in splitting the article for the Selectmen/Town.

Attorney Macchi, present in the audience, spoke to the FinCom could vote No Action on the package store license section only and advise the petitioner that they could do a substitute motion at Town Meeting, thus reducing the scope of the article.

Town Administrator will contact Town Counsel and obtain a legal opinion on splitting the article and the FinCom's recommendation being the Main Motion, and if it known how many other communities have done this through legislation

MOTION MADE by J. Denneen, Seconded by M. Kent to Table action on Article 34, Motion Passed (9-1-0) (D. Bruce abstained) (10 voting)

Articles 36, 37 and 38

Attorney P. Macchi, spoke to these articles are for easements on High Plain Street (Rte. 27) for traffic control at Walmart. If Town Meeting approves the article, the easement will be gifted to the Town. This has to be approved within 120 days after Town Meeting approval. This has been before the Taunton office of DOR for 2 ½ years but has been unable to proceed forward as they hadn't completed their review within the 120 days. Approval has now been received and it is now in Boston office. He doesn't anticipate

any problem. He would like this to proceed at the May Town Meeting, rather than waiting till the Fall. Selectmen have to approve the layout. Easement is for maintenance purposes and traffic lights. Project is very similar to what was done with the Walpole Mall and is part of the requirements of the Planning Board's site plan approval, Zoning Board also had some conditions.

MOTION MADE by J. Denneen, Seconded by D. Bruce for Favorable Action on Article 36, Motion Passed (10-0-0) (10 voting) Unanimous

MOTION MADE by J. Denneen, Seconded by D. Bruce for Favorable Action on Article 37, Motion Passed (10-0-0) (10 voting) Unanimous

MOTION MADE by J. Denneen, Seconded by D. Bruce for Favorable Action on Article 38, Motion Passed (10-0-0) (10 voting) Unanimous

Articles 7 and 8- Water and Sewer

Amounts have changed on the Water and Sewer articles due to change in capital requests. Sewer and Water Commissioners are no longer interested in replacing the pick-up for the Water Department but are still requesting an additional vehicle for the Sewer Department and paying their share of the communication equipment/radio.

MOTION MADE by J. Denneen, Seconded by M. Kent for Reconsideration of Article 7, Motion Passed (10-0-0) (10 voting) Unanimous

MOTION MADE by J. Denneen, Seconded by J. McDermott, for Favorable Action on Article 7 in the amount of \$4,260,065, Motion Passed (8-2-0) (D. Bruce and D. Crowley opposed) (10 voting)

MOTION MADE by J. Denneen, Seconded by S. Lawson for Reconsideration of Article 8, Motion Passed (10-0-0) (10 voting) Unanimous

MOTION MADE by J. Denneen, Seconded by J. McDermott for Favorable Action on Article 8 in the amount of \$4,085,118, Motion Passed (10-0-0) (10 voting) Unanimous

Article 5 – FY2013 Account

\$121,008 to be transferred to the Employee Fringe Benefits Budget from Elections & Registrars-\$28,358, Police-\$32,650, Fire-\$35,000 – Unemployment- \$25,000

MOTION MADE by J. Denneen, Seconded by D. Crowley, for Favorable Action in the amount of 121,008, (10-0-0)

Article 2 – Personnel By-Laws

Personnel Board will be sending a letter to the Finance Committee on compensatory time. They did not consider compensatory time with dealing with snow and ice operations. There needs to be an equity issue on snow and ice operations. They will bring this forward at the Fall Town Meeting, looking into exempt positions as to who receives it and capping the amount of time allowed. The way their present by-law is proposed it would create additional problems, they need to overhaul the entire by-law and adjust the grades for comp time. Issue before the Personnel Board is how to implement compensatory time.

Article 10 – Snow and Ice

Projected deficit as of 3/28/2013 is \$191,993.92. Department will need to purchase additional salt for next year out of this year's budget. Town Administrator recommends \$195,000 be transferred from the Health Insurance Budget to the FY2013 Snow and Ice Budget.

MOTION MADE by J. Denneen, Seconded by D. Crowley to transfer \$195,000 from Employee Fringe Benefits to the FY2013 Snow and Ice Budget, Motion Passed (10-0-0) (10 voting) Unanimous

Article 19 – Revolving Funds

At the request of the Finance Committee, Revolving Funds Article will be presented as a line item budget next year.

MOTION MADE by J. Denneen, Seconded by D.Crowley for Favorable Action on Article 19, Motion Passed (9-1-0) (D.DiCenso in opposition) (10 voting)

Tri-County Budget

\$825,000 being requested, this amount is subject to change as it is an assessment.

MOTION MADE by J. Denneen, Seconded by J. for Favorable Action on Tri-County Budget in the amount of \$825,000, Motion Passed, (10-0-0) (10 voting) Unanimous

Norfolk County Agricultural School

\$30,000 being requested, it is anticipated that this amount will drop \$10,000 next year.

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MOTION MADE by J. Denneen, Seconded by J. Burke for Favorable Action on Norfolk County Agricultural School Budget in the amount of \$30,000 , Motion Passed (10-0-0) (10 voting) Unanimous

Adjourn

MOTION MADE by J. Denneen, Seconded by D. Crowley to adjourn at 10:15 p.m., Motion Passed (10-0-0) (10 voting) Unanimous

Respectfully submitted,

Clare P. Abril
Clerk